

Message Text

CONFIDENTIAL

PAGE 01 BERLIN 00780 091246Z

46

ACTION EUR-25

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 INR-10 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 SAJ-01 NIC-01 OMB-01 IO-14 ACDA-19 TRSE-00

EB-11 DRC-01 /145 W

----- 090017

R 091202Z MAY 74

FM USMISSION BERLIN

TO SECSTATE WASHDC 3346

AMEMBASSY BONN

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

C O N F I D E N T I A L BERLIN 0780

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, GW, UR

SUBJ: ALLIED RESPONSE TO SOVIET STATEMENT ON BERLIN LFV LAW

REF: A) BERLIN 637; B) BONN 6160

1. CHAIRMAN POLAD (US) CALLED ON SOVIET EMBASSY COUNSELLOR
RODIN MAY 7 TO DELIVER FOLLOWING AGREED ALLIED RESPONSE TO
SOVIET STATEMENT OF APRIL 11 (REF A) CONCERNING TAKE-OVER IN
BERLIN OF LAW AMENDING LAW ON LANDESAMT FUER VERFASSUNGSSCHUTZ:

"ON APRIL 11 YOU RAISED WITH MR. WALKER THE ADOPTION,
ON MARCH 29 BY THE HOUSE OF REPRESENTATIVES, OF A
LAW TO AMEND THE LAW ON THE LAND OFFICE FOR THE PROTECTION
OF THE CONSITUITION.

"THE ALLIED AUTHORITIES WOULD LIKE TO POINT OUT THAT,
AS IS NORMAL IN SUCH CASES, AT THE TIME THE LAW WAS PASSED
BY THE HOUSE OF REPRESENTATIVES, CERTAIN CONDITIONS FOR ITS
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BERLIN 00780 091246Z

OPERATION IN THE WESTERN SECTORS OF BERLIN WERE ESTABLISHED

BY THE ALLIED AUTHORITIES TO ASSURE THAT THE EXERCISE OF FUNCTIONS REFERRED TO IN THE LAW REMAIN SUBJECT TO ALLIED CONTROL AS LAID DOWN IN ALLIED LEGISLATION.

"THE ALLIED AUTHORITIES DO NOT CONSIDER THEREFORE THAT THE ENACTMENT OF THIS LAW IS IN ANY WAY INCONSISTENT WITH THE QUADRIpartite AGREEMENT."

2. RODIN ARGUED THAT ABOVE RESPONSE DID NOT SATISFACTORILY ADDRESS POINT IN HIS APRIL 11 STATEMENT THAT, ACCORDING TO LAW PASSED BY HOUSE OF REPRESENTATIVES, LFV WOULD BE CARRYING OUT INSTRUCTIONS ISSUED BY FEDERAL AUTHORITIES AND NOT MERELY THOSE OF SENAT OR ALLIES. THIS, HE INSISTED, WOULD BE CONTRARY TO PRIVISION OF QA THAT WEST BERLIN IS NOT A CONSTITUENT PART OF FRG. FURTHERMORE, RODIN NOTED, FEDERAL AUTHORITIES WOULD THROUGH THIS MEANS CONCERN THEMSELVES WITH SECURITY OF WEST BERLIN, WHICH, AS WAS WELL KNOWN, WAS PROVINCE RESERVED EXCLUSIVELY TO ALLIES. IN RESPONSE, POLAD EMPHASIZED POINT THAT WHATEVER LFV DID IN BERLIN IT DID IN ACCORDANCE WITH BERLIN, NOT FRG, LAW, AND THAT THERE WAS NO QUESTION IN THIS REGARD OF FRG EXERCISING DIRECT GOVERNMENTAL AUTHORITY OVER WESTERN SECTORS--WHICH, POLAD NOTED, WAS LANGUAGE OF QA. RODIN APPEARED CONTENT TO DROP SUBJECT AFTER THIS MUTUAL EXPRESSION OF POSITIONS, AND WE HAD IMPRESSION THAT SOVIETS WOULD NOT PRESS MATTER.KLEIN

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, AMENDMENTS, PERSONNEL APPOINTMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 MAY 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GarlanWA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BERLIN00780
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740113-0331
From: BERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740562/aaaacdjt.tel
Line Count: 86
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A) BERLIN 637; B) BONN 6160
Review Action: RELEASED, APPROVED
Review Authority: GarlanWA
Review Comment: n/a
Review Content Flags:
Review Date: 23 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 APR 2002 by kelleyw0>; APPROVED <10 FEB 2003 by GarlanWA>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ALLIED RESPONSE TO SOVIET STATEMENT ON BERLIN LFV LAW
TAGS: PGOV, PFOR, WB, GE, UR
To: STATE BONN
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005